

REMARKS

Upon entry of the present amendment, claims 1-12, 14-17, 19-22, and 24-35 will remain pending in this application. Claims 13, 18 and 23 are hereby cancelled. Applicants respectfully submit that no new matter is added by the present amendment.

Claim 2 is objected to due to informalities. Claims 13, 18 and 23 are objected to as being in improper dependent form. Claims 13, 18 and 23 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 6, 14, 19 and 29 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Claims 1, 3-11, 13, 14, 16, 18, 20, 21, 23 and 25-34 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 5,870,758 (“Bamford”). Claims 2, 12, 15, 17, 19, 22, 24 and 35 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bamford in view of U.S. Patent No. 7,035,874 (“Reed”). Applicants respectfully traverse all outstanding rejections.

Interview Summary

Applicants’ undersigned representative, Mr. Eiferman, and Examiner Robert Timlin participated in a telephonic interview on August 14, 2007 to the independent claims in relation to the cited references.

Claim Objections

Claim 2 is objected to due to informalities, and is hereby amended to correct the informalities.

Claims 13, 18 and 23 are objected to as being in improper dependent form. Claims 13, 18 and 23 are hereby cancelled.

Accordingly, Applicants respectfully submit that the above listed claim objections are now moot.

Claim Rejections Under 35 U.S.C. § 101

Claims 13, 18 and 23 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 13, 18 and 23 are hereby cancelled. Accordingly, withdrawal of the 35 U.S.C. § 101 rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 112

Claims 6, 14, 19 and 29 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. These claims are hereby amended to clarify the allegedly indefinite language. Accordingly, withdrawal of the 35 U.S.C. § 112 rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 102(e)

Claims 1, 3-11, 13, 14, 16, 18, 20, 21, 23 and 25-34 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 5,870,758 ("Bamford"). Applicants respectfully traverse.

Independent claims 1, 14, 19 and 24 recite that, in response to receiving a file system statement, a read or write lock is acquired or it is determined whether a read or write lock is available for a corresponding row of a data table. The file system statement is independent of any database commands employing a query language of the database.

Bamford discloses techniques for providing isolation levels in a database system. The Office Action alleges that the database operations disclosed in Bamford are analogous to the claimed file system statements. However, independent claims 1, 14, 19 and 24 explicitly recite "the file system statement being independent of any database commands employing a query language of the database." Thus, the database commands of Bamford cannot possibly be construed as file system statements as that term is used in the claims of the present application.

Accordingly, because Bamford does not teach or suggest at least the above recited features of independent claims 1, 14, 19 and 24, Applicants respectfully submit that claims 1, 14, 19 and 24 and all claims depending therefrom are not anticipated by Bamford.

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Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103(a)

Claims 2, 12, 15, 17, 19, 22, 24 and 35 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bamford in view of U.S. Patent No. 7,035,874 (“Reed”). Applicants respectfully traverse and submit that these claims are patentable at least be reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 103(a) rejections are respectfully requested.

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CONCLUSION

In view of the above amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application is respectfully requested.

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